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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/777,350	02/05/2001	Robert A. Veschi	PA1479US	5175

7590 02/06/2004

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EXAMINER	
PHAM, TUAN	
ART UNIT	PAPER NUMBER
2643	6

DATE MAILED: 02/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.	Applicant(s)	
	09/777,350	VESCHI, ROBERT A.	
	Examiner	Art Unit	
	TUAN A PHAM	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 February 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1, 3-4, and 6-8 are rejected under 35 U.S.C. 102(e) as being anticipated by smith et al. (U.S. Patent No. 6,219,409, hereinafter "Smith").

Regarding claim 1, Smith teaches a circuit for detecting and routing a telephone ringing signal (see figure 1), comprising:

an input terminal for receiving a telephone ringing signal (see col.9, ln.5-25);

a frequency filter (i.e.,TDM) for selecting signals of a specific frequency from the ringing signal (see col.19, ln.10-18); and

a switch, responsive to the selected signals, for routing the telephone ringing signal (see col.7, ln.15-16).

Regarding claim 3, Smith further teaches the circuit comprises two switches (see figure 2, switch 50,52, col.7, ln.15-16).

Regarding claim 4, Smith further teaches the circuit wherein the switch is an analog switch. It is inherently that the circuit in Smith's reference is disclosed analog signal on the twisted pair. Therefore, the switch should be analog switch.

Regarding claim 6, Smith further teaches the circuit further comprising a speaker (see figure 1, PC 15a). It is inherently that the PC should be including the speaker.

Regarding claim 7, Smith teaches a method of detecting and routing an incoming ringing signal for a telephone (see figure 1), comprising the steps of:

splitting off a portion of the incoming ringing signal (see col.9, ln.58-67);

checking if a desired characteristic is present in the portion of the incoming ringing signal (col.9, ln.6-26); and

routing the incoming ringing signal based on whether the characteristic is present (see col.9, ln.58-67).

Regarding claim 8, Smith further teaches the method wherein the characteristic is frequency (see col. 9, ln.6-10, col.19, TDM).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 2, 5, and 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. (U.S. Patent No. 6,219,409, hereinafter "Smith") in view of Goodman (U.S. Patent No. 6,542,585).

Regarding claim 2, Smith further teaches a circuit for detecting and routing a telephone ringing signal (see figure 1), comprising:

an input terminal for receiving a telephone ringing signal (see col.9, ln.5-25);

a frequency filter (i.e.,TDM) for selecting signals of a specific frequency from the ringing signal (see col.19, ln.10-18); and

a switch, responsive to the selected signals, for routing the telephone ringing signal (see col.7, ln.15-16).

It should be noticed that Smith fails to clearly teach the circuit comprises two band pass filters. However, Goodman teaches such features (see figure 4a, band pass filters 447c and 423c) for a purpose of blocking the unwanted signal.

Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of band pass filter, as taught by

Goodman, into view of Smith in order to detected the different incoming signal on the telephone system.

Regarding claim 5, Goodman further teaches the circuit further comprising a capacitor for removing noise of the specific frequency. It is obvious that the band pass filter is disclosed in Goodman's reference should be including the capacitor for selecting the specific frequency.

Regarding claim 16, Smith teaches a system for detecting and routing an incoming signal (see figure 9), comprising:

an input/output device for receiving and transmitting the incoming signal (see figure 9, input 170, output pc 208, col.6, 50-60);

a CPU for processing the incoming signal (see figure 9, CPU board 186); and

logic for analyzing the processed signal (see col.6, ln.58-60);

It should be noticed that Smith fails to clearly teach an amplifier for amplifying a ringing signal; and a speaker for outputting the amplified signal. However, Goodman teaches such features (see figure 4a, amplifier 447d, figure 16, computer 518) for a purpose of amplifying the incoming signal.

Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of amplifier for amplifying a ringing signal, and a speaker for outputting the amplified signal, as taught by Goodman, into view of Smith in order to produce the better sound.

Regarding claim 17, Smith further teaches the system wherein the input/output device is a soundcard. It is obvious that the computer in figure 1 should be including a sound card.

Regarding claim 18, Smith further teaches the system wherein the CPU is part of a personal computer (see figure 1, computer 15a).

Regarding claim 19, Smith further teaches the system wherein the logic is in software (see col.6, ln.58-67).

Regarding claim 20, Smith further teaches the system wherein the input/output device is an analog to digital converter (see col.15, ln.20-40).

6. Claims 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. (U.S. Patent No. 6,219,409, hereinafter "Smith") in view of Reuss et al. (U.S. Patent No. 6,364,834, hereinafter "Reuss").

Regarding claim 9, Smith further teaches a method of detecting and routing an incoming ringing signal for a telephone (see figure 1), comprising the steps of:

splitting off a portion of the incoming ringing signal (see col.9, ln.58-67),

checking if a desired characteristic is present in the portion of the incoming ringing signal (col.9, ln.6-26), and

routing the incoming ringing signal based on whether the characteristic is present (see col.9, ln.58-67).

It should be noticed that Smith fails to clearly teach the method wherein the characteristic is wavelength. However, Reuss teaches such features (see col.11, ln.13) for a purpose of measuring wave of signal.

Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of characteristic is wavelength, as taught by smith, into view of Reuss in order to improve the sound level.

Regarding claim 10, Reuss further teaches the method wherein the characteristic is a wave packet generated by a computer server (see col.12, ln.13-20).

Regarding claim 11, Reuss further teaches the method of wherein the step of checking checks for the presence of a plurality of characteristics (see col.11, ln.13, col.12, ln.13-20).

7. Claims 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. (U.S. Patent No. 6,219,409, hereinafter "Smith") in view of Nirshberg et al. (U.S. Patent No. 5,699,421, hereinafter "Nirshberg").

Regarding claim 12, Smith teaches a system for detecting and routing an incoming signal (see figure 1), comprising:

a switch responsive to the selected signals for routing the incoming signal (see figure 2, switch 50); and

a speaker (see figure 1, PC 15a). It is obvious that the PC should be including a speaker.

It should be noticed that Smith fails to clearly teach a frequency filter for selecting signals of a specific frequency from the incoming signal, and a capacitor for removing brief intervals of the selected signals. However, Nirshberg teaches such features (see figure 1, filter 10, 12, 14, col. 4, ln.18-67) for a purpose of blocking the unwanted signal.

Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of frequency filter for selecting signals of a specific frequency from the incoming signal, and a capacitor for removing brief intervals of the selected signals, as taught by Nirshberg, into view of Smith in order to detected the different incoming signal on the telephone system.

Regarding claim 13, Nirshberg further teaches the system comprising two frequency filters (see figure 1, filter 10, 12, 14, col. 4, ln.18-67).

Regarding claim 14, Smith further teaches the circuit comprises two switches (see figure 2, switch 50,52, col.7, ln.15-16).

Regarding claim 15, Smith further teaches the circuit wherein the switch is an analog switch. It is inherently that the circuit in Smith's reference is disclosed analog signal on the twisted pair. Therefore, the switch should be analog switch.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In order to expedite the prosecution of this application, the applicants are also requested to consider the following references. Although Maurer et al. (U.S. Patent No. 5,048,076), Lorenz et al. (U.S. Patent No. 5,151,972), Weinstein et al. (U.S. Patent No. 6,650,635), and Fan (U.S. Patent No. 6,636,506) are not applied into this Office Action, they are also called to Applicants attention. They may be used in future Office Action(s). These references are also concerned for supporting the system

and method for internet telephony and apparatus for automatically connecting terminal device to telephone line.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tuan A. Pham** whose telephone number is (703) 305-4987 and E-mail address is: **tuan.pham@USPTO.GOV**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (703) 305-4708 and

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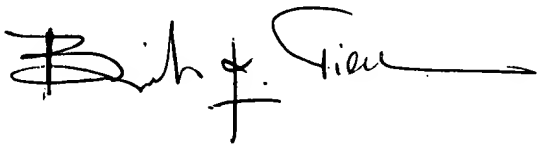
Art Unit 2643

Date: January 30, 2004

Examiner

Tuan Pham



BINH TIEU
PRIMARY EXAMINER

Notice of References Cited	Application/Control No. 09/777,350	Applicant(s)/Patent Under Reexamination VESCHI, ROBERT A.	
	Examiner TUAN A PHAM	Art Unit 2643	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,219,409	04-2001	Smith et al.	379/106.09
	B	US-6,542,585	04-2003	Goodman, David D.	379/93.01
	C	US-5,699,421	12-1997	Nirshberg et al.	379/386
	D	US-6,364,834	04-2002	Reuss et al.	600/300
	E	US-5,048,076	09-1991	Maurer et al.	379/93.11
	F	US-5,151,972	09-1992	Lorenz et al.	379/100.16
	G	US-6,650,635	11-2003	Weinstein et al.	370/352
	H	US-6,636,506	10-2003	Fan, Yuan-Neng	370/356
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.